



December 15, 2005

Marlene H. Dortch
Office of the Secretary
Federal Communications Commission
445 12th Street, SW
Washington, D.C. 20554
ATTN: RM 10865

Dear Secretary Dortch:

The University of Missouri respectfully submits this comment in response to the Communications Assistance for Law Enforcement Act (CALEA) Order of September 2005 (RM 10865, Docket No. 04-295, FCC 05-153).

We agree with and support the comments filed by the Higher Education Coalition, Duke University, the University of California, Washington State Community College, Cornell University and others who argue that Congress did not intend for CALEA to apply to higher education networks. Our network is essentially private. It exists to serve our faculty, staff and students in support of our teaching, research and service missions. CALEA applies to telecommunications common carriers. We are not a telecommunications common carrier. Our network is not and should not be subject to the requirements of CALEA. The FCC should amend the September order to make this exemption clear.

While our broadband network is private it is not small. Like the University of California, which estimates their cost of CALEA compliance to be in excess of \$100 million dollars, we have campuses and operations located throughout the State of Missouri. If CALEA compliance requires packet level interception on individual network ports and wireless access points, it could conceivably require the replacement of all of our existing network equipment. Such an undertaking would involve substantial reallocation and reprioritization of our funds and could not be accomplished within the 18 month deadline.

Given the extreme scarcity of actual law enforcement demands of the higher education community to assist in electronic surveillance, if an exemption is not approved, the only reasonable approach to this fundamental change in our network infrastructure is to have a phased implementation where equipment is replaced and upgraded in the normal course of business. This approach will significantly minimize our financial burden. Even with equipment lifetimes of three to ten years, the impact on law enforcement will be minimal.

Respectfully,

Elson S. Floyd, Ph.D.
President

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